

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 28, 1963

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

MR. CAREY STONE presented a plaque to the Mayor and Councilmen in recognition of their distinguished service to the City. He said similar plaques had been delivered only to the President, Vice President, Governor and this Council.

DR. WM. SHIVE and MR. ROBERTS appeared before the Council regarding the widening of Red River Street, 38th and 38 $\frac{1}{2}$ Streets, and cutting another sideroad through Hancock Park. This widening of Red River down to Airport Boulevard would leave many residents through there only a 5' easement. He stated the traffic was not too heavy in there now. He asked the Council to have an on-site inspection early in the morning when the traffic was the heaviest. He questioned the legality of dedicating park area to street use. The Director of Public Works reported the widening of 38th, 38 $\frac{1}{2}$ and 41st Streets was scheduled for this summer. The Mayor stated these plans are under study and will be checked by the City Manager before any work is done, and the Council would be happy to look at it with the City Manager before it proceeds. Dr. Shive stated they would like to be considered in the early stages of planning. Mr. Roberts was interested in the plans for the 38th and 38 $\frac{1}{2}$ Street area. The Director of Public Works stated he would show them the plans, and the Mayor stated the Council would meet with the residents in the area.

MR. DAVID BARROW, interested in the Mount Bonnell area as Chairman of the Planning Commission and as a citizen, said he had no interest personally, but wanted to clear some statements. He pointed out on a sketch the property donated by the Covert family to the County for park purposes, and the property he and his brother donated, stating the road was constructed by the county--not by the property owners. He said it was not reasonable for the City to think that these people would donate this beautiful site to the public and retain the rest of this property and not be permitted to use it in some reasonable way. His suggestion

was for a much smaller tract than that which the Director of Planning had recommended that the City acquire. He suggested that the road be moved a short distance to the east, thereby making it safer than where it is now, and still providing the same view. This would also permit the land owners to develop the land. He said if the Planning Director's suggestion were followed, and if the city wanted to acquire the additional land, it would be extremely expensive and would interfere substantially with the development of the other land. MAYOR PALMER stated at this time the City Manager had been asked to negotiate with the developers and all of this information would be brought out and analyzed. Mr. Barrow stated the value of the use by the public to get the large amount of land for park purposes would not justify the cost. A representative of the Covert family asked the City not to take any action on this land until it exercised its option, and reported someone had been bulldozing the property. There was a misunderstanding between this representative and a contractor. The Mayor explained the City would negotiate with the proper persons that held title and control of the land. The Mayor thanked Mr. Barrow for his explanation.

MR. EUGENE SANDERS wanted to know the purpose of buying Mount Bonnell land; who was interested in it, how much it would cost and where the money was coming from. The Mayor said this matter was in the explorable state; and since the publicity had been given, the Council had received numerous letters asking that this site be preserved, as it is an historical site. He stated a public hearing probably would be held so the public could express itself.

MR. FRED WELLS submitted a petition requesting that SCHULLE AVENUE be opened from Enfield Road to Bonnie Road. The City Manager stated there was a \$5,000 drainage structure to be constructed in there before the street could be opened, and that structure was what had delayed the opening of this street. The Mayor stated the Council would accept the petition and check with the City Manager. The City Manager stated this was under study now.

MR. LLOYD A. WILCOX, Baptist Foundation of Texas, stated they had land in northeast Austin under contract of sale; and when they surveyed the property they found the City's sanitary fill encroached on the land and they were unable to deliver title; however, after working with the Law Department, they were getting their problem resolved. He said the fill and encroachment is 15' higher than the natural ground line, and he asked that this fill be sloped down to make it look a little more presentable so that it would not deter so much from the value of the land. He said he was trying to secure an easement for the City from this land which they are selling in order that the fill can be spread out. The Mayor stated he and the Council were scheduled to go look at this at noon today, but it seems Mr. Wilcox has the matter pretty well worked out. He expressed hopes it could be worked out to everyone's satisfaction.

The Mayor reviewed meetings the Council had with all of the Hospital Boards in Austin to obtain their opinions on whether or not a survey should be made of the community needs for hospital beds in the City; and with a group of about 80 doctors, who called attention to the occupancy rate at Brackenridge and to the critical hospital situation. He stated the Community Council, after having been asked to screen some consultants, did receive quite a number of applications and interviewed several, and made a recommendation that BOOZE, ALLEN & HAMILTON be engaged to make this survey, which was estimated to cost between \$30,000 and

\$40,000. The Doctors had urged the survey, because of the timing. The Mayor stated it was not too early now to authorize this survey to obtain the information that will be needed as to what type of hospital facilities and coordination with other hospitals in the City as to what their future plans are. He suggested that this consultant come before the Council for an interview and for a review of the scope of the project. Councilman White stated he had discussed this with some doctors, and that this was an enormous price to have to pay for checking at the hospital. The doctors with whom he had talked suggested Dr. Smith from Chicago, stating he would do this survey for less than \$30-\$40,000. The City Manager explained Dr. Smith was used in connection with the expansion of the hospital as consultant to the architects, but not in the capacity of making a community survey to determine what the total community requirements were and what would be in the future. The City Manager explained the importance of this survey, and compared the cost with that of an architect's fee on a \$6,250,000 building, which would run into hundreds of thousands of dollars. The City Manager stated the average occupancy was 94.6%. Councilman Shanks stated this survey would be the answer to the community needs; and if the City spends \$30,000-\$40,000 and gets a good intelligent survey, this money will be the cheapest money ever spent. The Council deferred further consideration until later in the afternoon. Then later in the meeting, the Mayor stated Mr. Phil Overton had been contacted and had stated this was a recognized firm in this field. The Mayor said the City should enter into an agreement with the Community Council to the extent that the City would make the funds available as it is needed, up to this amount. Councilman Shanks moved that the City Manager be authorized to enter into a contract with the Community Council whereby it will make arrangements and negotiate with this firm (BOOZE, ALLEN & HAMILTON) to conduct the survey under their direction, and the City will make available the necessary funds not to exceed \$35,000. The motion was seconded by Councilman Armstrong. In discussion to the motion, the Mayor stated letters from all the other hospitals had been received urging this survey, and 80-85 doctors had urged the survey, noting the necessity for additional hospital beds. Councilman White stated during the roll call that there was no question about the hospital needing more rooms and he agreed with that 100%, but he definitely thought the fee was too high. He stated two or three doctors had told him within the last 36 hours that this was an awful price to pay. Mayor Palmer inquired how high would he be willing to go, and Councilman White said it would cost that much. Councilman Perry was anxious to know if there were any of the doctors objecting. Councilman White stated they said they needed the beds, but that was an awful price to have to pay. The Mayor suggested asking those three or four doctors to come before the Council. Councilman Shanks withdrew his motion until Councilman White could get these doctors up before the Council. The Mayor suggested he ask those three or four. The Council then postponed action on the motion.

Pursuant to published notice thereof the following zoning applications were publicly heard:

DON A. HART	600-602 Williams Street	From "A" Residence
By L. H. Klaeveman	613-617 Canon Street	To "C" Commercial
		RECOMMENDED by the Planning Commission

Councilman Perry moved that the change to "C" Commercial be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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DELWOOD NURSING HOME, 910 Ellingson Lane
 Mrs. Lucille Baker
 By Carlton Brush

From "A" Residence
 To "B" Residence
 RECOMMENDED by the
 Planning Commission

Councilman Shanks moved that the change to "B" Residence be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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VERNON O. TEOFAN 900-904 Romeria Drive
 By Samuel Teofan

From "A" Residence
 To "B" Residence
 RECOMMENDED by the
 Planning Commission

Councilman Shanks moved that the change to "B" Residence be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. A. OBENHAUS 831-833 East 53½ Street
 By Sidney Purser

From "A" Residence
 To "C" Commercial
 NOT Recommended by the
 Planning Commission
 RECOMMENDED "IR" Local
 Retail

Councilman Shanks moved that the change to "IR" Local Retail be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. A. OBENHAUS & LAURA ANSCHUTZ By Sidney Purser	814-820 East 53rd Street	From "A" Residence To "BB" Residence RECOMMENDED by the Planning Commission
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Councilman Perry moved that the change to "BB" Residence be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. W. KIRSCHNER, ET AL	2000-2008 Oldham Street 706-710 East 20th Street 701-711 East 20½ Street	From "BB" Residence To "B" Residence RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "B" Residence be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. J. L. NAGLE, ET AL By Edgar E. Jackson	Tract 1 400-408 East 8th Street 801-805 Trinity Street Tract 2 405-409 East 8th Street 710-714 Neches Street Additional Area Part 1: 401-03 East 8th Street 711-15 Trinity Street Part 2: 313-17 East 8th Street 710-14 Trinity Street Part 3: 501-03 East 8th Street 711-15 Neches Street	From "B" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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Councilman Perry moved that the change to "C" Commercial be granted. The

motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARY BELLE C. HILL 1509-1623 State Highway 71 From Interim "A"
Residence 1st
Height & Area
and "A" Residence 1st
Height & Area
To "C" Commercial 1st
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "GR"
General Retail

No one appeared in the interest of this application. The Mayor stated this would be postponed until it was determined if "GR" General Retail would be acceptable to Miss Hill.

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ROY R. KAY 8833-43 (8823) North From Interim "A"
Lamar Boulevard Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

MR. KAY appeared in the interest of MR. LOCKHART who was purchasing the property from him, and referred to a statement made by the Zoning Commission that since the property was bought after the zoning was established for residential use, this change would be an introduction of commercial into the neighborhood and recommended the request be denied. He said MORRIS MOORE purchased the adjoining property and sold it to the developers and they later asked for an additional change in zoning on part of it. Mr. Lockhart's property had never been used for anything other than commercial. He discussed agreements made concerning a street through the property to be subdivided. His property had been used for business, and was now being used for business, and Mr. Lockhart wanted to expand and have warehouse space. The Director of Planning, referring to the subdivision lay-out, suggested possibly half of Mr. Lockhart's property could be zoned commercial, and leave the other in residential zoning. MR. MORRIS MOORE, former owner of the residential tract explained he designated 400' of commercial property from the front of this tract, and sold the rest to an adjoining property owner out of Dallas, and he knew the commercial frontage was already established and was to be developed as commercial. Two hundred feet of the property was annexed and zoned Commercial. The rest was outside the city limits. Mr. Moore said he then extended a line 200' back, making the property 400' deep so as to

make the commercial area worthwhile. Part was zoned commercial and the other designated commercial. The subdividers had commercial property also on Lamar, and they had to put in a street, although Mr. Lockhart did not need a street and does not want to move traffic back through that subdivision. Mr. Lockhart's property was already established, and the subdividers planned their development to coincide with his. MR. BOB BAILEY, developer of the tract of residential land, explained the planned development to meet FHA and VA requirements, and stated his lots did not back up to this tract but was parallel to it. He said they were planning a first class residential section, but they would be agreeable for Mr. Lockhart's to come within 200' of their property with his commercial. Mayor Palmer suggested leaving a lesser depth as a buffer zone, making it "B" so Mr. Lockhart could use it for parking. The builder of the home on Lot 1 was under the assumption the property was "A" and had told the purchaser of the property it would be "A". Mr. Bailey stated the FHA had checked on the zoning; and if this property is changed to commercial, it will kill the balance of the lots for FHA financing. The Mayor suggested a 35' buffer zone under "B". Mr. Moore suggested a screening fence would be more desirable than a buffer zone, as the building would be a big, open type of construction. He said Mr. Lockhart did not need a buffer zone. The Mayor stated a screening fence, in addition to the buffer zone, would put everybody in good shape. Mr. Moore suggested that 12½' be taken off of both sides of the property since Mr. Lockhart was there first, or that the subdividers purchase the 25' and do what they want to do with it. Mr. Lockhart stated if the subdividers would put the fence on the property line, he would give the buffer zone. The Mayor stated the Council would take this up next Thursday, and in the meantime a check could be made with FHA and VA to see if this would satisfy their requirements for financing.

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FRED C. BARKLEY

917-21 Don Ann Street
4901-4903 Bolm Road
Additional Area
4905-11, 5001 Bolm Road
1004-08, 1005-07 Gullett

From "A" Residence
To "D" Industrial
NOT Recommended by the
Planning Commission

The Director of Planning reported Mr. Barkley had told him he did not want to do anything in this area that would hurt the home owners, and they had a right to protect their homes, and he wanted to withdraw the application. Councilman Shanks moved that the request to withdraw the application be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

Councilman White moved that the Minutes of the Regular Meeting of March 21st and the Special Meeting of March 22nd, 1963, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING VOTING PRECINCTS OF THE CITY OF AUSTIN AND FIXING THE BOUNDARIES THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON JULY 23, 1953, AND RECORDED IN ORDINANCE BOOK "S" AT PAGES 432-449, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTIONS 29 AND 30 OF SAID ORDINANCE; BY RE-ENACTING ALL OF THE REMAINDER OF SAID ORDINANCE AS OF THIS DATE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH: AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL ALL THAT CERTAIN ALLEY, ELEVEN FEET IN WIDTH, LOCALLY KNOWN AS EAST 53RD STREET ALLEY, AND LYING NORTH OF AND ADJACENT TO BLOCK "A" RIDGETOP, A SUBDIVISION OF A PORTION OF THE JAMES P. WALLACE SURVEY NUMBER 57, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Arroyo Seca and sundry other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRADFIELD-CUMMINS, INCORPORATED, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS, INCORPORATED, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH ST. JOHN'S CORPORATION, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager explained the following refund contracts for sanitary sewer mains and approach main in and to Westover Hills, Section 1.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WALLACE L. MAYFIELD, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WALLACE L. MAYFIELD, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the

rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of Southwestern Bell Telephone Company to construct and maintain a 7000 gallon emergency fuel oil tank solely for the storage of diesel fuel oil under the following described street area, to-wit:

A strip of land eight (8.00) feet in width, same being a portion of Colorado Street, said Colorado Street being a street in the Original City of Austin, Travis County, Texas, according to a map or plat of said Original City of Austin on file in the General Land Office of the State of Texas; the centerline of said strip of land eight (8.00) feet in width being more particularly described as follows:

BEGINNING at a point in a line five (5.00) feet west of and parallel to the east line of Colorado Street, same being the west line of Lot 9, Block 110, Original City of Austin, said point of beginning being 6.22 feet south of the westerly prolongation of the north line of said Lot 9;

THENCE, with said line five (5.00) feet west of and parallel to the east line of Colorado Street, in a southerly direction 20.00 feet to point of termination.

The aforesaid fuel oil tank shall have a cover of not less than three inches (3") of sand cushion and six inches (6") of concrete.

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of said improvements, said grant and permit to be subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances and laws relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin and of the State of Texas, now existing or hereafter adopted.

(3) Should the construction of the herein described improvements require the repair or relocation of any public utilities, such repairs or relocation shall be done at the expense of the Southwestern Bell Telephone Company.

(4) The Southwestern Bell Telephone Company will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or in any manner connected with the construction or maintenance of said improvements.

(5) In granting the space assignment herein described, the City of Austin does not make any representation that said space is or is not clear from other underground utilities or any other public or private improvement.

(6) Any excavation in the street, and the restoration and maintenance of said street shall be done at the entire expense of the Southwestern Bell Telephone Company, and shall be so accomplished as to conform to the standards and specifications of the Public Works Department of the City of Austin.

(7) The City of Austin may revoke the permit at any time, and upon such revocation, the owner of such tank shall remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated the Council had received a request from the State Building Commission requesting relocation of their flood lighting for the John H. Regan State Office Building on West 15th Street, and this request had been checked, and it is not recommended that the lights be installed in the esplanade between the two drives. He read the recommendation from the Traffic Engineer pointing out the reasons why these lights should not be installed in the median strip to illuminate the north side of the Building--(1) the roadway is to be widened from 26' to 33', thereby reducing the strip from 23' to 14'; (2) the reduction in the median strip would not accommodate installation of the flood lights together with sufficient shrubbery to eliminate side glare; (3) flood lights will be low, and the side glare will be very hazardous; and (4) the projection of high intensity beam across the eastbound roadway to illuminate the entire front of the building. The Mayor suggested that since the Council had received the request and the report from the Traffic Engineer, that the Council meet with Admiral Nieman and discuss this further and see if something satisfactory could be worked out.

The City Manager stated property had been acquired from Mr. Nelson Puett and a small part extends across a subdivision which is now being developed. The Engineer asked that part of the street which lies in the path of Shoal Creek Boulevard be dedicated as agreed upon. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized to join in the plat of Allandale Terrace Section Three for the limited purpose of showing the dedication by the City to the Public for street purposes of that certain sixty (60) foot strip of land shown thereon as "Tract X" so as to provide for the continuation and extension of Shoal Creek Boulevard.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated the Director of Public Works had a report to make on the request of Mr. N. L. Gault, County Commissioner, for some caliche. The Director of Public Works said there was a good source of caliche, and pointed out the location on a map of the City Park. He stated Mr. Gault was building a new road; and in exchange of the caliche, he would straighten out the unpaved road for about a mile and would repair the main road from the cattle guard down to Pearce's cattle guard. He said this had been cleared through the Recreation Department. In addition, Mr. Gault will clear out some cedar trees, leaving the oak trees. After considerable discussion and upon the City Manager's recommendation, Councilman Shanks moved that the Council approve this proposition. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager brought up the request of Mrs. Loy Harrison for permission to construct a boat dock cover. Discussion was held on the ordinance covering the setback from the property line. The City Manager stated this 20' strip was created since the ordinance was passed saying there would be no building on less than 20', but he would check this out. The City Attorney stated the ordinance had been enforced uniformly and there was a sound basis for its enactment.

The City Manager reported a request from MISS LOLLA PETERSON for a parking space at the Court House for her caseworker. He explained that Miss Peterson had been assigned two parking spaces in the rear of the Court House, but since the construction work had been going on, she had to relinquish one of the spaces. Another request had been made for a space in front of the Daughters of the American Revolution Building. The Council took no action.

The Mayor stated the Housing and Home Finance Agency had written asking the Council to appoint the Citizens Advisory Committee, and that this should be done at the earliest possible time.

The Mayor stated COLONEL LANKFORD had sent an invitation to the Council to the official formal opening of Bergstrom Days, and to a dinner at Building 1501 at 12:15 April 4th. The Mayor stated the Council would be there.

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The Mayor noted a letter from DR. S.H. DRYDEN expressing appreciation of the Staff of Brackenridge Hospital for his attending the staff meeting and explaining some of the mutual problems the City has in connection with the hospital and the expansion program.

The City Manager stated MR. BILL GREEN, journeyman member of the Plumbing Board, had resigned from the Board as he was going into his own business and was becoming a Master Plumber. MR. FRANK GREEN had been recommended to fill this vacancy on the Plumbing Board as Journeyman Plumber. Councilman White moved MR. FRANK GREEN be appointed to the Plumbing Board in the capacity of Licensed Journeyman Plumber to fill the unexpired term of Mr. Bill Green, resigning. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

There being no further business, Councilman Perry moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 4:15 P.M., subject to the call of the Mayor.

APPROVED

Lester E. Palmer
Mayor

ATTEST:

Elsie Woodley
City Clerk